

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:

**ATLANTA LIGHT BULBS, INC.,

Debtor.**

**TANDEM BANK,

Movant,
v.**

**ATLANTA LIGHT BULBS, INC.

Respondent.**

CHAPTER 11

CASE NO. 22-52950-pmb

CONTESTED MATTER

MOTION FOR EXPEDITED HEARING

COMES NOW, Tandem Bank, by and through the undersigned counsel, and hereby files this *Motion for Expedited Hearing* (the “Motion”). In support of the Motion, Tandem Bank shows the Court as follows:

1. On April 15, 2022 (“Petition Date”), Halco Lighting Technologies, LLC, Candela Corporation, and Norcross Electric Supply Company filed an involuntary petition (Doc. No.1) (the “Involuntary Petition”) for relief against Atlanta Light Bulbs, Inc. (“Debtor”) under Chapter 11 of Title 11 of the United States Code, 11 U.S.C. §§ 101 et seq., (the “Bankruptcy Code”). On May 23, 2022, the Court entered an Order for Relief under Chapter 11 of the Bankruptcy Code (Doc. No. 21).
2. On May 25, 2022, Tandem Bank filed a *Motion to Dismiss Bankruptcy Case* (Doc. No. 23) (the “Motion to Dismiss”).
3. On June 8, 2022, Tandem Bank filed a *Motion for Relief from the Automatic Stay* (Doc. No. 33) (the “Bank MRAS”). The Court previously granted the Motion in part and deferred ruling on a portion of the Motion pursuant to the *Order Granting Tandem Bank’s Motion for Relief*

from the Automatic Stay (Doc. No. 63) (the “Prior Order”).

4. On October 18, 2022, BREIT Stone Mountain Owner, LLC (“BREIT”) as Landlord filed its *Motion to Approve Consent Order Lifting Automatic Stay* (“BREIT MRAS”) (Doc. No. 160) regarding its lease with the Debtor on certain real property located at 2109 Mountain Ind Blvd, Tucker, GA 30084 (the “Mountain Industrial Premises”).

5. On November 8, 2022, the Court entered the *Consent Order Granting Relief from the Automatic Stay to BREIT Stone Mountain Owner, LLC* (Doc No. 170).

6. BREIT has notified Gregory Hayes, Chapter 7 Trustee, that the Mountain Industrial Premises contains personal property that may be Movant’s Collateral and that BREIT desires to relet the Mountain Industrial Premises. Said Collateral consists of personal property including inventory and minor equipment.

7. As of October 21, 2022, the outstanding secured indebtedness to the Movant was \$456,060.90 (POC No. 57). The indebtedness remains outstanding without reduction since October 21, 2022.

8. Bullseye Auction & Appraisals has inspected the subject Collateral and no equity exists in the Collateral in the Mountain Industrial Premises.

9. Movant requests an expediated rescheduled hearing on the Bank MRAS at the first available time and date. The purpose of the hearing is for the Court to consider granting Movant additional relief in addition to the relief granted in the Prior Order. Specifically, Movant requests that the Court lift the automatic stay to authorize Movant to foreclose upon the personal property located at the Mountain Industrial Premises and take such action as necessary to accomplish the same including without limitation seeking a writ of possession or similar relief and naming Debtor as a respondent or defendant for such purposes.

WHEREFORE, Tandem Bank respectfully requests that this Court shorten any applicable notice period, schedule an expedited hearing on the Bank MRAS, grant the relief requested in the Bank MRAS and grant such other relief as may be just and proper.

RESPECTFULLY SUBMITTED this 27th day of January, 2023.

JONES & WALDEN LLC

/s/ Leslie M. Pineyro

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CERTIFICATE OF SERVICE

This is to certify that on January 27, 2023, I electronically filed the "*Motion for Expedited Hearing*" (the "Motion") using the Bankruptcy Court's Electronic Case Filing program, which sends a notice of and an accompanying link to the Motion to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing Program:

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This 27th day of January, 2023.

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